

## CLASSIFICATION OFFICE DECISION

**Title of publication:** data\_3\_embedded\_1008

**Other known title(s):** Not stated

**OFLC ref:** 1700600.001

**Medium:** Computer Image File

**Publisher:** Not stated

**Country of origin:** Not stated

**Language:** Not applicable

**Applicant:** Commissioner of Police

<b>Classification:</b>	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
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**Descriptive note:** None

**Display conditions:** None

**Date of entry in Register:** 30 November 2017

**Date of direction to issue a label:** No direction to issue a label has been issued

**Date of notice of decision:** 29 November 2017

### Summary of reasons for decision:

This is a sexually explicit image of an adult male engaging in sexual conduct with a female subject whose body is only partially shown. Because it is impossible to determine with any certainty that the subject is a child or young person, rather than a young adult, the image cannot fairly be said to promote or support, or to tend to promote or support, the exploitation of young persons for sexual purposes. However, the sexually explicit nature of the image means that its availability needs to be restricted to adults. This classification limits the right to freedom of expression New Zealand Bill Of Rights Act 1990 but is justified in order to prevent injury to the public good.